



City of Seattle

Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 3012936
Applicant Name: Steve Fisher of Nicholson Kovalchick Architects
Address of Proposal: 500 John St

SUMMARY OF PROPOSED ACTION

Land Use Application to allow a seven-story structure containing 102 residential units above 4 live-work units at ground level. Residential parking for 86 vehicles to be provided at and below grade. Existing structures proposed to be demolished.

The following Master Use Permit components are required:

Design Review – Seattle Municipal Code Section 23.41

SEPA Environmental Review – Seattle Municipal Code Section 25.05

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or involving another agency with jurisdiction.

SITE AND VICINITY

The project site is located at the intersection of 5th Avenue and John Street in the Uptown Urban Center, which is comprised of large office buildings, hotels, multi-family apartment buildings and many commercial areas.

Street frontage along both streets (5th Ave and John Sts) is 120'. The site is a corner lot and abuts a 16' paved alley to the east.



Just north of the site, the Seattle Center, which contains several landmarks and the Experience Music Project border the west side of 5th Avenue. Fischer Plaza is across the street to the west. A hotel and a surface parking lot are to the east. The newly constructed Gates Foundation is located further north of the site and various commercial buildings and restaurants are located south of the site. The site is within walking distance to many forms of public transportation, including the monorail, which runs north - south along 5th Avenue, directly adjacent to the west side of the site. There are many bus routes that are located within blocks of the site and there is a large amount of pedestrian activity that is present in the area.

The project site is located in a Seattle Mixed (SM-85) zone that spans many blocks north of John St and also many blocks east from Broad St. Zoning to the south is a mix of DMR and DMC zones of varying heights from 65' to 340'. To the west (Seattle Center) the zoning is NC3-85.

The neighborhood character is mixed with many City landmarks listed above and a spectrum of uses and structure types. The site is just north of downtown where zoning transitions to lower heights moving north to West Queen Anne. There is a great mix of commercial, office, residential, restaurant and civic uses and structures in the area.

PROJECT DESCRIPTION

The development proposal is to construct a new 7-story building with 102 apartment units, 4 live work units with 86 parking stalls at and below grade accessed from the alley. The ground floor facing 5th Ave proposes live/work units while the building lobby is located at intersection of 5th Ave and John St; the residential amenity spaces are proposed along John St. The apartments are proposed on levels 2 through 7.

The Early Design Guidance and Recommendations meeting reports and design proposals are available online (pdf) by entering the project number (3012936) at this website:
http://www.seattle.gov/dpd/Planning/Design_Review_Program/Project_Reviews/Reports/default.asp.

This information is also available for review in DPD's project file (DPD# 3012936); please visit DPD's Public Resource Center:

Street Public Resource Center in the Applicant Services Center
Address: http://www.seattle.gov/dpd/Permits/Process_Overview/Location_Hours/default.asp
700 Fifth Ave (20th floor)
Seattle, WA 98104

Email: PRC@seattle.gov



Figure 1: SW View Point

PUBLIC COMMENTS

Approximately 100 members of the public attended the EDG meeting on March 21, 2012. The following comments, issues and concerns were raised:

- Architectural inspiration examples don't fit at this location, the color and materials are off.
- Natural light is a concern and bad open space.
- Shading of any of the courtyards is likely. Further articulation is necessary for the boxy structure.
- Shadows will be an issue on the south façade.
- The Scenic View of the Monorail is being slowly being compromised.
- The proponent should review of classic architecture moving down Denny Way.
- This design doesn't fit with the context.
- The clown head on the existing structure should be used in the proposal.
- Entries should be recessed from the street.

- Live work entries should be recessed further from the street.
- Ride The Duck location and function can be an issue for the proposed residences.
- Traffic and parking are issues here; there is a lack of neighborhood services, residential uses are not appropriate for this area.

The applicant applied for a Master Use Permit on April 27, 2012. Notice of Application was published on May 10, 2012 with a 14-day comment period. Many comments were received by DPD for the project. The following comments, issues and concerns were raised:

- Retaining the existing structure and use. Develop at another property.
- Demolition of the Funhouse will negatively impact the neighborhood character.
- The demo of the structure will result in Seattle losing culture art and history.
- The Funhouse is a Seattle symbol and should be retained.
- Closing the funhouse will be a devastating blow to the music community.
- The project will block scenic views from the Monorail to the Cascades and Capitol Hill.
- Parking during public events will be impacted by the proposal.
- The structure will negatively contribute create a hodgepodge of styles in the neighborhood.
- Why displace vibrant commercial uses for spaces that may be empty.
- The project contributes to gentrification in the area and loss of historical and cultural importance.

ANALYSIS - DESIGN REVIEW

Early Design Guidance

The presentation included the site context summarizing the zoning, surrounding development and three design schemes. Alley access is proposed for all three options. No design departures from development standard are anticipated for any of the design options. Massing, courtyard location, natural light and views are the variables that distinguish the three options:

Option 1

Corner lobby with entry recess at 5th Avenue and John Street

- Live/Work units along 5th Avenue
- Residential courtyard on Level 2, elevated above alley
- Rooftop deck provided for amenity space

Option 2

- Live/Work units along 5th Avenue
- Residential courtyard on Level 2, elevated above 5th Avenue
- Rooftop deck provided for amenity space

Option 3

- Corner lobby with small entry plaza at 5th Avenue and John Street.
- Live/Work units along 5th Avenue.
- Central residential courtyard enclosed by residential units.
- Rooftop deck provided for amenity space.

PRIORITIES & BOARD GUIDANCE (EDG) + FINAL RECOMMENDATIONS

After visiting the site, considering the analysis of the site and context provided by the proponents, the West Design Review Board members provided the siting and design guidance described below. The Board identified design guidelines found in the City of Seattle's [Citywide Design Review Guidelines for Commercial and Multifamily Buildings](#) and [Neighborhood Specific Design Guidelines \(Uptown\)](#) of highest priority to this project.

At the Recommendation Meeting the Design Review Board members provided recommendations/conditions if applicable for the project as noted below following the EDG statements if applicable. No members of the public attended the recommendation meeting.

A. Site Planning

A-1 Responding to Site Characteristics

The siting of buildings should respond to specific site conditions and opportunities such as non-rectangular lots, location on prominent intersections, unusual topography, significant vegetation and views or other natural features.

Uptown Supplemental Guidance: Throughout Uptown new developments should, to the extent possible, be sited to further contribute to the neighborhood's pedestrian character. In the Uptown Urban and Heart of Uptown character areas encourage outdoor dining areas utilizing sidewalks and areas adjacent to sidewalks. Outdoor dining is especially encouraged for sites on block faces with southern exposure.

EDG

Siting of the commercial/live-work uses and residential clubhouse amenity space need to consider the future planning of the area involving the work associate with the Seattle Tunnel and neighborhood planning for the character of 5th Ave and John St. Different treatment of both streets should be used based on the future plans for each street.

The ability to have openings and fenestration on the north façade due to an existing easement is a unique opportunity for further articulation and detailing. It is unusual to have an urban commercial site (non full block) with three highly visible facades. Take advantage of this condition along the north façade with landscaping, setback, fenestration, color or other features.

The design should provide a subtle design response to the monorail and embrace views to the site from the Monorail. The three facades should relate to the surroundings. The Board supported the proposed rooftop amenity and encouraged taking advantage of views.

Staff Comment

Flipping the upper floor plans would allow a penetration through the north wall for the extended corridors and would provide great views to the Space Needle and EMP.

A-2 Streetscape Compatibility

The siting of buildings should acknowledge and reinforce the existing desirable spatial characteristics of the right-of-way.

Uptown Supplemental Guidance: Throughout Uptown developments that respond outward to the public realm are preferred.

- ***Site outdoor spaces in accordance with the location and scale of adjacent streets, buildings, and uses. For example, an on-site plaza should not unduly interrupt the retail continuity of a street.***
- ***Locate plazas intended for public use at or near grade to promote both a physical and visual connection to the street. Special paving materials, landscaping, and other elements can be used to provide a clear definition between the public and private realms.***
- ***Define outdoor spaces through a combination of building and landscaping, and discourage oversized spaces that lack containment.***

EDG

Streetscape compatibility is a challenge with the proposed live-work and residential clubhouse uses at street level. Live-work use interaction with the street is concerning to the Board, particularly how competing treatments for security and retail visibility can be applied while activating the streetscape.

Details of the corner entry should adhere to the specific guidance for the Uptown Guidelines (See A-10), which directly addresses corner lot situations.

A more generous public realm was requested, such as including greater setbacks.

At the Recommendation meeting the Board recommended revision of the 4' street level setback area adjacent to the live work units to include more permeability. The setback area should allow pedestrians to stand next to store fronts in little "eddies," at a minimum. Use of moveable planters/pots that allows the tenants to create on demand security or commercial appeal entries as needed depending on the needs of the live work unit.

The proponent continues to propose a short wall and low railing divide between the sidewalk and the live work units. These border marking elements do provide access gates to the live work units, with the northern two units having individual gates and the southern two sharing a gate. In order to maximize safety and clearly marking the private and public space, if each unit had its own gate, each unit's purveyor could keep the gate open to provide pedestrians the opportunity to access the storefronts if desired. As a result conditioning is warranted to impose the unanimous recommendations of the Board as stated above. The applicant will be required to provide written analysis of how the proposal is complies with the Board's recommendation to the setback area with the building permit.

A-3 Entrances Visible from the Street

Entries should be clearly identifiable and visible from the street

Uptown Supplemental Guidance: Throughout Uptown, major entrances to developments should be prominent. The use of distinctive designs with historical references is strongly encouraged. Design, detailing, materials and landscaping may all be employed to this end. Building addresses and names (if applicable) should be located at entrances, tastefully crafted. Streets throughout Uptown should be sociable places that offer a sense of security, and residential building projects should make a positive contribution to life on the street.

EDG

Live work entry design, security and treatments are of concern especially if the spaces are converted to traditional commercial spaces in the future. A conceptual plan for the possible future conversion of the live-work units to traditional retail should be detailed at the Recommendation meeting.

A-4 Human Activity

New development should be sited and designed to encourage human activity on the street.

Uptown Supplemental Guidance: Throughout Uptown encourage outdoor dining.

EDG

Pedestrian activity in the area is plentiful and will intensify with major developments currently underway and planned for the area. At the recommendation meeting, the pedestrian experience along both streets should be detailed with vignettes showing materials, scale and materials from a pedestrian's perspective. Explore shifting the live work units to 5th Ave.

A-10 Corner Lots

Buildings on corner lots should be oriented to the corner and public street fronts. Parking and automobile access should be located away from corners.

Uptown Supplemental Guidance: Corner Lots in Uptown

Generally, buildings within Uptown should meet the corner and not be set back. Building designs and treatments as well as any open space areas should address the corner and promote activity.

Corner entrances are strongly encouraged, where feasible. Corner lots are often desirable locations for small publicly-accessible plazas, turrets, clock towers, art, and other special features. Design corner retail entries to not disrupt access to residential uses above.

EDG

The Board supports the proposed corner entry and expects to review further articulation details at the recommendation meeting, see A-4 above. Enhancing and expanding the naturally lit courtyard to complement the grand corner entry is a priority. The Board would like to see further development of the natural light theme including a more generous central courtyard and the naturally vented view corridors proposed in the apartment levels.

C. Architectural Elements and Materials
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C-1 Architectural Context

New buildings proposed for existing neighborhoods with a well-defined and desirable character should be compatible with or complement the architectural character and siting pattern of neighboring buildings.

Uptown Supplemental Guidance: The Uptown Urban character area embraces high quality urban infill, and responds to special relationships with nearby civic institutions. The following features are encouraged:

- ***Consistent street wall;***
- ***Engaging the sidewalk / storefront transparency;***
- ***Building siting that responds to Seattle Center entry points;***
- ***Defined cornices;***
- ***High quality, durable materials;***
- ***Distinct residential and commercial components; and***
- ***Throughout Uptown, upper level balconies are discouraged on the street side of residential buildings. Bay windows are a preferred architectural element on the street side. This guideline is intended to avoid open displays of storage, which are sometimes an unintended consequence of street side balconies.***

EDG

With the EMP, Gates Foundation and Seattle Center, architectural context is rich; therefore The Board noted the proposed design should complement these developments not compete with them. The Board suggested studying the hotel proposal at 416 John St (DPD # 3012431) for information and ideas of how to respond to the context.

Articulate the structure further to avoid creating a blocky building.

At the Recommendation meeting the Board recommended that the building recess a central portion of north façade (metallic silver metal) a minimum of 1' to provide relief in the facade. The area to be recessed is the width of two units from the 2nd to the 7th floor. This recessed area will continue to be framed by the dark grey fiber cement framed element material. Further study may be needed by the applicant on the proportion of materials.

The MUP plans were updated by the applicant to comply with this recommendation of the Board. As a result, no conditioning is necessary.

C-4 Exterior Finish Materials

Building materials should be constructed of durable and maintainable materials that are attractive even when viewed up close. Materials that have texture, pattern, or lend themselves to a high quality of detailing are encouraged.

Uptown Supplemental Guidance: Throughout Uptown, decorative exterior treatments using brick, tile, and/or other interesting exterior finish materials are strongly preferred. Quality exterior finish materials should be incorporated at all levels and on all exterior walls. Use materials, colors, and details to unify a building's appearance; buildings and structures should be built of compatible materials on all sides.

EDG

Visibility of the site is high; use of strong materials that will weather well is a priority. This development and the proposed hotel cited above will establish a precedent for future developments of this scale.

At the Recommendation meeting the Board recommended the following:

Ensure bright red band (metal trim) is placed at the top of the projecting corridors in MUP plans and elevations as shown in the renderings shown in the Recommendation packet. Raise corridors from roof planes as much as possible and allow natural light to penetrate the corridors (side lights, clerestories) above the roof to the greatest extent possible.

Install operable windows on the community room, in addition to proposed sliders or accordion doors, to allow air in the room year round when doors are likely to be closed. Detail of glazed storefront corridors at the intersection with other materials (flashing) needs to be provided in the building permit, this detail is vital in the success of the protruding corridors.

The applicant updated the MUP plans to include the red spandrel at the top of the raised projecting corridors, but also removed a spandrel from the ceiling of the 7th floor. Details for light penetration are to be developed at building permit drawings.

Operable windows are noted on the MUP plans but need to be detailed on the building permit.

Further, the applicant has stated the “aperture” symbol will be used in custom gate detailing and weather protection in addition to the tripod structural rods used in the main entry canopy. Interior decoration, visual building address and lobby art may include a Polaroid theme.

As a result conditioning is warranted to impose the unanimous recommendations of the Board as stated above.

D. Pedestrian Environment

D-2 Blank Walls

Buildings should avoid large blank walls facing the street, especially near sidewalks. Where blank walls are unavoidable, they should receive design treatment to increase pedestrian comfort and interest.

Uptown Supplemental Guidance: Within the Uptown Park character area landscaping (e.g., trellised climbing plants and other urban greenery) is the preferred treatment for walls. Larger wall areas should include landscaped treatments at the wall or between the wall and public rights-of-way, but not in a manner that would create unsafe conditions (e.g., create hiding spaces or provide exterior access to higher floors). In the Uptown Urban and Heart of Uptown character areas artwork and decorative surfacing may provide an alternative wall treatment to landscaping in some locations. However, painted murals are the least preferred solution to larger wall areas in Uptown.

D-7 Personal Safety and Security

Project design should consider opportunities for enhancing personal safety and security in the environment under review.

EDG

Safety and visibility including transparency along the alley are important. Live work units should provided privacy and safety for tenants, but also be able to function as retail. The “Trio” development at 3104 Western Ave is good example of appropriate treatment for live-work on urban street fronts.

D-8 Treatment of Alleys

The design of alley entrances should enhance the pedestrian street front.

Uptown Supplemental Guidance: In Heart of Uptown and Uptown Urban character areas encourage alleys to be activated with subordinate retail spaces at the mouth of the alley. Encourage retail to “turn the corner” at alley entrances.

EDG

Conflict between pedestrians on John St with cars leaving the alley needs to be addressed. Design of the structure at the alley needs to provide high visibility when exiting the garage and alley. A “sight triangle” function should be provide be eroding the building or providing transparency, mirrors are not appropriate.

At the Recommendation meeting the Board wanted to provide maximum transparency at the intersection of the alley and John St to ensure the “sight triangle” is maximized. The building permit should limit any view obscuring elements internally in the “sight triangle” portion of the floor plan.

As a result conditioning is warranted to impose the unanimous recommendations of the Board as stated above.

D-10 Commercial Lighting

Signs should add interest to the street front environment and should be appropriate for the scale and character desired in the area.

Uptown Supplemental Guidance: Uptown accommodates shopping and eating experiences during the dark hours of the Northwest’s late fall, winter, and early spring. Pedestrian area lighting is an important feature of each block in the Uptown Urban character area, and the Heart of Uptown character area.

EDG

Use of pedestrian scaled lighting is crucial.

At the Recommendation meeting the Board recommended using down lighting from soffits to highlight the brick relief and detail rather than the proposed higher on wall sconces. Use the "space needle like" sconces in more pedestrian level locations. Specifically, anchor the community room on John with the Space Needle like sconces.

The proponent has updated the MUP plans with the desired sconces along both street front as requested and removed the upper wall sconces, the soffit lighting remains. Conditioning is warranted to ensure the sconces are carried over to the building permit.

DEVELOPMENT STANDARD DEPARTURES

None.

ANALYSIS & DECISION – DESIGN REVIEW

Director's Analysis

Three members of the West Design Review Board were in attendance and provided recommendations (listed above) to the Director and identified elements of the Design Guidelines which are critical to the project's overall success. The Director must provide additional analysis of the Board's recommendations and then accept, deny or revise the Board's recommendations (SMC 23.41.014-F3). The Director agrees with and accepts the conditions recommended by the Board that further augment the selected Guidelines.

Following the Recommendation meeting, DPD staff worked with the applicant to update the submitted plans to include the recommendations of the Design Review Board. The Director of DPD has reviewed the recommendations of the Design Review Board made by the three members present at the recommendation meeting and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Director agrees with the Design Review Board's conclusion that the proposed project and conditions imposed result in a design that best meets the intent of the Design Review Guidelines and accepts the recommendations noted by the Board.

Director's Decision

The design review process is prescribed in Section 23.41.014 of the Seattle Municipal Code. Subject to the above-proposed conditions, the design of the proposed project was found by the Design Review Board to adequately conform to the applicable Design Guidelines. The Director of DPD has reviewed the recommendations of the Design Review Board made by the three members present at the recommendation meeting, provided additional review and finds that they are consistent with the City of Seattle Design Review Guidelines for Multifamily and Commercial Buildings. The Design Review Board agreed that the proposed design, along with the conditions listed, meets each of the Design Guideline Priorities as previously identified. Therefore, the Director accepts the Design Review Board's recommendations and **CONDITIONALLY APPROVES** the proposed design and the requested departures with the conditions summarized at the end of this Decision.

ANALYSIS - SEPA

The proposal is for 102 residential, 4 live-work units with 86 parking stalls, thus the application is not exempt from SEPA review. Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05) because the proposed project is located in a commercial (SM) zone, an urban center and exceeds the 30 unit threshold.

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant dated April 25, 2012. The information in the checklist, pertinent public comment, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The Department of Planning and Development has analyzed the environmental checklist submitted by the project applicant and reviewed the project application. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *“Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”* subject to some limitations. Short-term adverse impacts are anticipated from the proposal.

Short-term Impacts

The following temporary or construction-related impacts are expected; decreased air quality due to suspended particulates from demolition and building activities and hydrocarbon emissions from construction vehicles and equipment; increased traffic and demand for parking from construction equipment and personnel; increased noise; and consumption of renewable and non-renewable resources.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction. Puget Sound Clean Air Agency (PSCAA) regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general. Finally, the Noise Ordinance regulates the time and amount of construction noise that is permitted in the City.

The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675-B) allow the reviewing agency to mitigate impacts associated with construction activities. Most short-term impacts are expected to be minor. Compliance with the above applicable codes and ordinances will reduce or eliminate most adverse short-term impacts to the environment. However, impacts associated with air quality, noise, and construction traffic warrant further discussion.

The following temporary or construction-related impacts are expected: decreased air quality due to suspended particulates from construction activities and hydrocarbon emissions from construction vehicles and equipment; increased dust caused by drying mud tracked onto streets during construction activities; increased traffic and demand for parking from construction materials hauling, equipment and personnel; increased noise; and consumption of renewable and non-renewable resources. Several adopted codes and/or ordinances provide mitigation for some of the identified impacts:

- The applicant estimates approximately 8,500 cubic yards of excavated material.
- The Stormwater, Grading and Drainage Control Code regulates site excavation for foundation purposes and requires that soil erosion control techniques be initiated for the duration of construction.
- The Street Use Ordinance requires watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way.
- Puget Sound Clean Air Agency regulations require control of fugitive dust to protect air quality. The Building Code provides for construction measures in general.
- The Noise Ordinance regulates the time and amount of construction noise that is permitted in the city.

Compliance with these applicable codes and ordinances will reduce or eliminate most short-term impacts to the environment. However, given the amount of building activity to be undertaken in association with the proposed project, additional analysis of drainage, grading, noise, greenhouse gases, and traffic impacts is warranted.

Drainage

Soil disturbing activities during site excavation for foundation purposes could result in erosion and transport of sediment. The Stormwater, Grading and Drainage Control Code provides for extensive review and requirements of the project prior to issuance of building permits. Therefore, no further conditioning is warranted pursuant to SEPA policies.

Earth - Grading

The construction plans will be reviewed by DPD. Any additional information showing conformance with applicable ordinances and codes will be required prior to issuance of building permits. Applicable codes and ordinances provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used; therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The current proposal involves excavation of approximately 8,500 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

As a result, no conditioning per SEPA policies is warranted.

Traffic, Circulation and Parking

Construction activities are expected to affect the surrounding area. Impacts to traffic and roads are expected from truck trips during excavation and construction activities. The SEPA Overview Policy (SMC 25.05.665) and the SEPA Construction Impacts Policy (SMC 25.05.675B) allows the reviewing agency to mitigate impacts associated with transportation during construction.

The construction activities will require the removal of material from site and can be expected to generate truck trips to and from the site. In addition, delivery of concrete and other materials to the site will generate truck trips. As a result of these truck trips, an adverse impact to existing traffic will be introduced to the surrounding street system, which is unmitigated by existing codes and regulations.

During construction, existing City code (SMC 11.62) requires truck activities to use arterial streets to the greatest extent possible. This immediate area is subject to traffic congestion during the PM peak hour, and large construction trucks would further exacerbate the flow of traffic. Pursuant to SMC 25.05.675(B) (Construction Impacts Policy) and SMC 25.05.675(R) (Traffic and Transportation), additional mitigation is warranted.

For the removal and disposal of the spoil materials, the Code (SMC 11.74) provides that material hauled in trucks not be spilled during transport. The City requires that a minimum of one foot of “freeboard” (area from level of material to the top of the truck container) be provided in loaded uncovered trucks which minimize the amount of spilled material and dust from the truck bed en route to or from a site.

For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays. This condition will assure that construction truck trips do not interfere with daily PM peak traffic in the vicinity. As conditioned, this impact is sufficiently mitigated in conjunction with enforcement of the provisions of existing City Code (SMC 11.62).

On-street parking in the neighborhood is limited and the demand for parking by construction workers during construction could exacerbate the demand for on-street parking and result in an adverse impact on surrounding properties. The owner and/or responsible party shall assure that construction vehicles and equipment are parked on the subject site or on a dedicated site within 800 feet for the term of the construction whenever possible.

To facilitate these efforts, a Construction Management Plan will be required as a condition of approval identifying construction worker parking and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

The Street Use Ordinance requires sweeping or watering streets to suppress dust, on-site washing of truck tires, removal of debris, and regulates obstruction of the pedestrian right-of-way. This ordinance provides adequate mitigation for these construction transportation impacts; therefore, no additional conditioning is warranted pursuant to SEPA policies.

Construction Noise

All construction activities are subject to the limitations of the Noise Ordinance. The site is commercially zoned and is surrounded by mostly commercial uses with some residential and lodging uses to the southeast. The area is very urban with high traffic, commercial activity and many arterials in the area. As a result no conditioning is warranted or needed to mitigate noise impacts from construction times.

Greenhouse Gas Emissions

Construction activities including construction worker commutes, truck trips, the operation of construction equipment and machinery, and the manufacture of the construction materials themselves result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

Long-term Impacts

Historic Preservation

The proposal was referred to the Department of Neighborhoods for historical considerations of the two existing structures (over 50 years old) on site that are proposed to be demolished. DON determined the following:

“Based on the review of the informational reports which included current and historic photos and brief building histories, we have determined that it is unlikely, due to a loss of integrity, that either of the subject buildings would meet the standards for designation as an individual landmark per SEPA Historic Preservation Policy (SMC 25.05.675-H.2.c.).”

Transportation

Transportation information for the proposed project was prepared by Traffic Solutions, Inc. dated July 17, 2011. This analysis estimated the amount of additional vehicle traffic the project is likely to generate and their likely distribution in the street system. The analysis utilized trip rates from the Institute of Transportation Engineers' *Trip Generation* manual (8th edition) for the existing and proposed developments.

High level of local transit service, proximity to downtown and a moderately dense mixed-use environment suggest that many trips in the area likely are made using non-auto modes. This is supported by data from the 2000 Census, which indicate that only 28% of local residents commute to work by car, with the rest using transit, walking, bicycling, or other modes, or working at home.

Overall, the proposed project is forecast to generate 65 total (42 am / 23 pm) peak hour vehicle trips. Project traffic is expected to distribute among John, Broad, 5th Ave N, Thomas and Taylor Streets. The existing development was found to generate 54 total peak hour vehicle trips (12 am / 43 pm). So, 9 additional peak hour trips are anticipated for the proposed development.

Traffic impacts from the project are likely to be minimal and do not warrant mitigation pursuant to SMC 25.05.675-R.

Public View Protection

Public comments inquired about view protection impacts. The development site is not located on a scenic view protection street. The closest view protection streets are Broad St and 4th Ave N, both west of the proposed development. Existing views of the Cascade Mountains from those streets are minimal to non-existent due to topography and existing development.

The proposed building will not have any adverse impacts on view protection policies pursuant to SMC 25.05.675-P.

Parking

Parking was cited by public comment as a concern in the area; the following analysis summarizes anticipated parking demand for the project.

ITE Parking Generation (8th edition) identifies a demand of 1.2 cars per unit for urban projects. Considering the 104 dwellings and 4 live work units proposed a parking demand of 127 spaces would be required for the proposed development. Given the urban nature of this specific location, it is expected that the actual parking demand will be considerably lower than this.

The 2000 Census data indicates that the average household in the census tract of the project site had approximately 0.4 vehicles per rental unit. A neighboring Census tract had a rate of approximately 0.8 vehicles per rental unit. Based on these rates, a rate of 0.6 vehicles/unit is reasonable to use for this project. Therefore, the proposed 102 residential and 4 live work units are expected to generate a peak demand of 64 vehicles.

The project will provide 86 parking spaces for the dwelling units and live work units; therefore, no spillover parking demand is anticipated.

Although, no code authority exists to condition the project to mitigate parking availability impact, as the project is located in the Uptown Urban Center and under SMC 25.05.675-M such conditioning is prohibited.

Greenhouse Gas

Operational activities, primarily vehicular trips associated with the project and the projects' energy consumption, are expected to result in increases in carbon dioxide and other greenhouse gas emissions which adversely impact air quality and contribute to climate change and global warming. While these impacts are adverse, they are not expected to be significant.

DECISION – STATE ENVIRONMENTAL POLICY ACT (SEPA)

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination. The intent of this declaration is to satisfy the requirements of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- ☒ Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(c).

CONDITIONS – SEPA

Prior to Issuance of any Construction, Shoring or Grading Permits

1. The applicant shall provide to the undersigned DPD Land Use Planner for approval a Construction Management Plan which identifies construction worker parking locations and construction materials staging areas; truck access routes to and from the site for excavation and construction phases; and sidewalk and street closures with neighborhood notice and posting procedures.

During Construction

2. For the duration of the construction activity, the applicant/responsible party shall cause construction truck trips to cease during the hours between 4:00 p.m. and 6:00 p.m. on weekdays.

CONDITIONS-DESIGN REVIEW

Prior to Building Permit Issuance

3. Provide written analysis and update plans as necessary to demonstrate how the 4' street level setback area adjacent to the live work units meets the recommendation of the Board:

Revise the 4' street level setback area adjacent to the live work units to include more permeability. The setback area should allow pedestrians to stand next to store fronts in little "eddies," at a minimum. Use of moveable planters/pots that allows the tenants to create on demand security or commercial appeal entries as needed depending on the needs of the live work unit.

4. Ensure bright red band (metal trim) is placed at the top of the projecting corridors in MUP plans and elevations as shown in the renderings shown in the Recommendation packet. Raise corridors from roof planes as much as possible and allow natural light to penetrate the corridors (side lights, clerestories) above the roof to the greatest extent possible. The Applicant must provide construction details of the corridors to demonstrate compliance with this condition.

5. The “Space Needle” like sconce shall be used along the street front as depicted in the MUP color elevation drawings.
6. Provide detail in the plans showing locations of “aperture” symbol’s use in the project. The symbol should be used in but not limited to the following locations: Custom gate detailing and weather protection. The applicant should continue to explore interior decoration options, on the building address and in the lobby as stated in the final correction response.
7. Provide construction detail and include operable windows on the community room in addition to proposed slider/accordion doors, to allow natural air in the room year round when doors are likely to be closed.
8. Provide construction detail of the three glazed storefront projecting corridors at the intersection with other materials (flashing). This detail is vital in the success of the protruding corridors.

Prior to Building Permit Issuance and For Life of Project (Land Use Planner)

9. Provide maximum transparency at the intersection of the alley and John St to ensure the “sight triangle” is maximized. The building permit should limit any view obscuring elements internally in the “sight triangle” portion of the floor plan.

Prior to Issuance of any Certificate of Occupancy

10. The applicants shall arrange for an inspection with the Land Use Planner to verify that the construction of the buildings with siting, materials, and architectural details are substantially the same as those documented in the approved MUP plans and related conditioning.

Signature: (signature on file)
Lucas de Herrera, Senior Land Use Planner
Department of Planning and Development

Date: September 24, 2012